

VETOES

(k) Any sums realized on any bond posted to regain possession of the vehicle shall be applied as provided for proceeds of sale under subsection (j)(2)(iv) of this section.

(l) Any sale ordered pursuant to this section shall be made for cash and vest in the purchaser a clear and absolute title to the motor vehicle that is sold.

(m) This section shall apply to any motor vehicle, as defined in Title 11 of the Transportation Article.

(N) (1) THIS SUBTITLE MAY NOT BE CONSTRUED TO PROHIBIT A SECURED PARTY FROM EXERCISING ITS RIGHTS UNDER APPLICABLE LAW, INCLUDING THE RIGHT TO SELL A MOTOR VEHICLE THAT HAS BEEN SEIZED UNDER THIS SUBTITLE, IN THE EVENT OF A DEFAULT IN THE OBLIGATION GIVING RISE TO THE SECURITY INTEREST.

(2) (I) A SECURED PARTY EXERCISING THE RIGHT TO SELL A MOTOR VEHICLE THAT HAS BEEN SEIZED UNDER THIS SUBTITLE SHALL NOTIFY THE STATE'S ATTORNEY IN WRITING OF THE SECURED PARTY'S INTENTION TO SELL THE MOTOR VEHICLE.

(II) THE NOTICE SHALL BE ACCOMPANIED BY COPIES OF DOCUMENTS GIVING RISE TO THE SECURITY INTEREST AND SHALL INCLUDE AN AFFIDAVIT UNDER OATH BY THE SECURED PARTY THAT THE UNDERLYING OBLIGATION IS IN DEFAULT AND THE REASONS FOR THE DEFAULT.

(III) UPON REQUEST OF THE SECURED PARTY, THE MOTOR VEHICLE SHALL BE RELEASED TO THE SECURED PARTY.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE RIGHTS AND DUTIES PROVIDED BY LAW TO THE SECURED PARTY FOR THE SALE OF COLLATERAL SECURING AN OBLIGATION IN DEFAULT SHALL GOVERN THE REPOSSESSION AND SALE OF THE MOTOR VEHICLE.

(4) (I) THE SECURED PARTY MAY NOT BE REQUIRED TO TAKE POSSESSION OF THE MOTOR VEHICLE PRIOR TO THE SALE OF THE VEHICLE.

(II) THE PROCEEDS OF THE SALE SHALL BE APPLIED FIRST TO THE COSTS OF THE FORFEITURE PROCEEDING, THEN AS PROVIDED BY LAW FOR DISTRIBUTION OF PROCEEDS OF A SALE BY THE SECURED PARTY.

(III) ANY PORTION OF THE PROCEEDS THAT WOULD BE PAID TO AN OWNER OF THE VEHICLE UNDER THE APPLICABLE LAW RELATING TO DISTRIBUTION OF PROCEEDS, SHALL BE PAID TO THE SEIZING AGENCY AND SHALL BE PROPERTY SUBJECT TO FORFEITURE. IF NO ORDER OF FORFEITURE IS ENTERED, THE STATE SHALL REMIT TO THE OWNER THAT PORTION OF THE PROCEEDS AND ANY COSTS OF THE FORFEITURE PROCEEDINGS PAID FROM THE PROCEEDS OF THE SALE.